

Parish: Alne
Ward: Easingwold
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Committee Date: 8 December 2016
Officer dealing: Caroline Strudwick
Target Date: 16 December 2016

16/01683/FUL

Demolition of a redundant agricultural shed and erection of a single new dwelling at Mayfield, Youlton Lane, Alne for Mr S Hopkins and Miss L Newton

1.0 SITE DESCRIPTION AND PROIPOSAL

- 1.1 The site is located on Youlton Lane, approximately 1km south of Alne and 2km west of Tollerton. Within 50 metres of the proposed site are the dwellings Mayfield, Moor Close and Squirrel Croft.
- 1.2 The proposal is for the development of a single new dwelling. The site is currently occupied by a redundant corrugated metal and breeze block agricultural building, which would be demolished. The proposed dwelling is to be lived in by the applicants, to allow them to take over the day-to-day running of the smallholding. Mayfield and the smallholding are owned by the parents of one the applicants. They intend to remain living in Mayfield but retire from the day-to-day running of the smallholding, handing this over to the applicants, who currently also live in Mayfield.
- 1.3 The smallholding covers an area of approximately 45 acres. It is a mix of grazing, wetland and woodland areas. At the time of submitting the application the smallholding had a herd of 33 rare breed cattle. Income from the smallholding is generated from the sale of calves or directly as meat, locally. There is a small collection of rare breed poultry and a number of turkeys reared for the Christmas market for additional income. Over the winter additional income is generated from grazing sheep from local farms.
- 1.4 During the time between the application being made and this report being written there have been extensive discussions with the agent which have led to the production of a second business strategy to expand on the one submitted with the application. In both documents the applicants explain what the smallholding does in terms of its primary function; the production of pedigree English Longhorns, but also the role of the nature reserve and the benefits this venture has for the local primary school. The first business strategy outlines the short and the medium to long term plans for the smallholding which include possibly establishing:
 - A glamping pods business;
 - A leisure fishing lake;
 - Beekeeping and honey production;
 - Cider production; and
 - Production of firewood as a by-product of managing 10 acres of woodland.
- 1.5 In an effort to expand on the first business case a second was submitted. This focuses more on the functional need for a dwelling by setting out incidents within the herd which required human intervention, which the applicants consider necessitate a dwelling in close proximity to the herd. The business strategy also included why the applicants felt remote monitoring of the site through CCTV was not appropriate and the current weekly labour demands of the smallholding and the expectation of labour dependant on future activities at the smallholding. A table of strategic dates and investment required for various different business opportunities has also been laid out in this document. As with the first business strategy the second business strategy

set out a lot of detail of what the smallholding currently does and what the applicants envision for the future.

- 1.6 The dwelling proposed is a two-bedroom, brick and timber clad double storey dwelling, with pantiles to the roof. The dwelling is proposed to sit in line with Mayfield, rather than within the footprint of the barn, which sits forward of Mayfield's front elevation.
- 1.7 Councillor Rooke has requested a decision by Planning Committee and prior inspection of the site by Members.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/00065/FUL - Extension and alterations to dwelling to create ancillary accommodation; Granted 11 March 2011.
- 2.2 13/02661/FUL - Application to extend the time limit for implementation of 11/00065/FUL; Granted 14 February 2014.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Development Policies DP1 - Protecting amenity
Development Policies DP28 - Conservation
Development Policies DP32 - General design
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP18 - Support for small businesses/working from home
Development Policies DP26 - Agricultural issues
Development Policies DP25 - Rural employment
Development Policies DP30 - Protecting the character and appearance of the countryside

4.0 CONSULTATIONS

- 4.1 Alne Parish Council – No objection.
- 4.2 Highway Authority – recommends a parking condition.
- 4.3 Environmental Health (Contaminated Land) – No objections.
- 4.4 Public comment – three letters in support of the scheme have been received. In summary, the comments focus on:
- A house here would positively contribute to the area by replacing the barn;
 - This would help local people remain in the area and get on the housing ladder; and
 - This would provide long term housing for first time buyers.

5.0 OBSERVATIONS

- 5.1 The issues to consider in the application are (i) the principle of development; (ii) the impact on residential amenity; (iii) the design of the proposal and its impact on the open countryside setting; and (iv) the impact on highway safety.

Principle of development

- 5.2 The application site lies outside the Development Limits of Aine and therefore development should only be granted if an exceptional case can be made in terms of Policies CP1 and CP2 and in respect of the criteria within Policy CP4.
- 5.3 The applicants currently live at Mayfield, adjacent to the application site. This house is owned and also occupied by one of the applicant's parents, who also own the smallholding to the rear. The applicants intend to take over the running of the smallholding, allowing the parents to retire but continue to reside at Mayfield. The applicants see a separate dwelling on site as a necessity to operate and expand the smallholding, diversifying into several identified markets.
- 5.4 CP4, criterion I, allows development in the countryside where it is necessary to meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential requirement to locate in a smaller village or the countryside and will help to support a sustainable rural economy.
- 5.5 The NPPF introduced a single test associated with the provision of dwellings in the countryside. This single test, outlined in paragraph 55, requires that it is 'essential' for an agricultural worker to live at or near their place of work.
- 5.6 Justification submitted in support of this application clearly states that the mission of the smallholding is to provide a supplemental income to the operators, with both applicants retaining their full time employments until such a time that the smallholding can support one of them, anticipated to be 2018. Initially the dwelling would not be for an agricultural worker because the applicants' main business income will not originate from the smallholding. Therefore it is, by definition, not an agricultural worker's dwelling as the main occupation of the inhabitant is not agriculture and it is not intended that the main income is derived from agriculture.
- 5.7 For this reason the proposal fails to comply with paragraph 55 of the NPPF.
- 5.8 Throughout the two business strategies the emphasis on the functional need for a dwelling outside Development Limits, on the smallholding, has chiefly been to allow the business to grow but to always be a supplementary income for the applicants. The initial business strategy clearly lays out what the smallholding currently does in terms of cattle production, poultry production and its function which is described by the applicants as a nature reserve. This is not a formal designation under LDF policy DP31: Protecting Natural Resources. The smallholding is a member of DEFRA's Countryside Stewardship scheme. The second business strategy does focus more on the functional need, explaining the potential for theft and crime and the requirement to be in close proximity to the livestock in case of an emergency. The smallholding is already located adjacent to three dwellings, affording it some level of natural surveillance however the parents of the applicant wish to continue to live in Mayfield but want to step away from the responsibility of the smallholding entirely.
- 5.9 The second business strategy goes on to set out in more detail of the short and medium to long term plans of the smallholding. It is clearly felt by the applicants that the business can only be grown through them living on site, however the business plan put forward fails to identify what lines of diversification would be pursued and

how plans would be initially funded, or the timescales and projected profits of the expansion of the smallholding. Both business strategies lack robust financial planning to explain how the plans for the small holding would be achieved. Part of the business plan is for glamping pods and a leisure fishing lake, both schemes would require planning permission which has not been sought and may not be granted. The ambitions of the smallholding appear rather aspirational, rather than clearly defined business plans. The document does state that *the financial model does not make allowance for the time and expense associated with commuting to and from a remote location. The resource associated with this is likely to restrict and may even prohibit anticipated growth.* Alne village is less than 1km away, and Tollerton is approximately 2km. Both offer a sustainable location and existing housing within cycling distance of the smallholding. Additionally there is no demonstration in the business strategy or design and access statement of how the applicants would fund the building of the proposed dwelling.

- 5.10 The weekly activity appraisal setting out the current time demands of the smallholding shows that between 9am and 6pm Monday to Friday the smallholding does not, outside calving time, require a presence on site. Currently the smallholding does not sustain one full time worker in terms of labour required or profitability. The second business strategy anticipates that the smallholding will not require the labours of a full time worker until 2018, if the smallholding develops as desired by the applicants, however they argue that there is a need to live on site now to develop the smallholding. It is unclear how living on site would facilitate the growth of the smallholding as opposed to living in a village nearby.
- 5.11 It is considered that neither of the Business Strategies has demonstrated that a dwelling in this location is necessary to meet the needs of farming. Significant emphasis has been placed on the functional need for the applicants to be on site in case of an emergency within their herd of cattle and examples of past incidents have been provided; however these incidents were identified during routine checking of the cattle, and because the applicants benefit from currently living in Mayfield and therefore in close proximity to the herd. As previously stated, the applicants have concerns regarding theft of cattle and equipment. They argue that living on site would deter this; however there is already a level of surveillance from the existing housing.
- 5.12 As well as ensuring the health of the cattle the applicants stress there is an essential requirement for them to live on site to allow the smallholding to grow and develop in terms of diversifying and increasing the number of cattle. It is indicated that financially the applicants can only afford to finance the growth of the smallholding through living on site in a permanent dwelling; however why that might be so has not been set out in clear financial terms, other than the applicants' view that the cost of travelling to and from the location would hinder the growth of the smallholding. This is not considered to justify a dwelling in this remote location as an exception to normal policy.
- 5.13 The application for a dwelling in this location under the premise that it is necessary to meet the needs of farming is considered premature; the need for a permanent presence on site is anticipated by the applicants in the event that the business successfully grows. This application has not been made on the basis of a current farming requirement but in anticipation of the predicted need. It has been suggested that the possibility of a temporary dwelling could be investigated, to allow the smallholding to develop and achieve its potential however this has been dismissed as impractical and could hinder the smallholding's ability to expand but again an explanation of why this may be has not been provided.

- 5.14 It is considered that there is an insufficient justification of why there is an essential requirement to live on site with the cattle, and therefore robust demonstration of the necessity of a house to support the needs of farming has not been received, and so this proposal is not compliant with CP4 and fails to meet the requirements of the NPPF.

Residential amenity

- 5.15 It is considered that a dwelling here would not impact unacceptably on the neighbouring residential amenity and in terms of policy DP1 the proposal is acceptable.

Design and impact on the countryside

- 5.16 The proposed dwelling would be located within an established cluster of houses and agricultural buildings. Without reference to the design, it is not considered that a dwelling here would unacceptably impact on the open countryside or the character of the area.
- 5.17 The design of the dwelling is intended to reflect its rural location, and the timber cladding to the exterior to resemble an agricultural building; however the agricultural buildings visible from Youlton Lane are brick built, with pantile or corrugated sheet metal roofs. The existing dwellings on Youlton Lane are all traditional brick built with pantile roofs. Brick is proposed at the lower level of the house, however this would be obscured from Youlton Lane by the hedge. The use of timber does not pay due regard to traditional design and forms of construction in this area, and the choice of a dark staining of the timber shown in the 3D synopsis is unsympathetic, highlighting its intrusive nature in this location. The design principles of the scheme do not comply with criteria vi or x of LDF policy DP32, General Design, or criterion ix of CP1.
- 5.18 Paragraphs 58 and 60 of the NPPF stress that local planning authorities should not prevent, discourage or stifle appropriate innovation however it is considered that the proposed colour and details are not appropriate in this location.
- 5.19 A roof well is intended to accommodate both photovoltaic and solar hot water arrays, which would provide low carbon electricity and hot water, reducing the property's reliance on the national grid. This is supported by criterion xii of DP32 and criterion ii of CP1.
- 5.20 The Design and Access statement makes the case that this proposal will provide the applicants with a family home which will allow them to live at the smallholding throughout their lifetime, as previous generations have done. The living space proposed is approximately 129 square metres. This exceeds national minimum space standards for a two-bedroom, four bed space, two-storey house by almost 50sq m. There is an upstairs study which could easily become a third single bedroom, for an expanding family. The house has been designed as a lifetime investment.
- 5.21 It is acknowledged that the barn currently on the site is in poor repair and unsightly. This in itself is not a reason for allowing replacement development. Whilst DP9 allows for development to be supported outside Development Limits where it constitutes the replacement of a building, where that replacement would need to achieve a more acceptable and sustainable development than would be achieved by conversion and the proposal must first comply with CP4. This proposal does not.
- 5.22 It is considered that the design of the proposed dwelling would impact unacceptably on the open countryside and the character of the area, and is considered unacceptable in terms of LDF policies CP1, DP32, and DP30.

Highway impact

- 5.23 There are no changes proposed to the access onto Youlton Road. Should permission be granted the Highway Authority has recommended a condition to ensure the adequate and satisfactory provision of off-street parking. As such the proposal is considered acceptable in highways terms and compliant with policy CP2.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reasons:
1. No essential need has been demonstrated to justify the functional requirement for a dwelling on the site, therefore the proposal is contrary to policies CP1 and CP4 of the Hambleton Local Development Framework and the National Planning Policy Framework at paragraph 55.
 2. The proposed development fails to respect the character of existing development in the immediate location in terms of size and design. The proposal is therefore contrary to policy DP32, which aims to ensure that all development is of the highest quality, and policy DP30, which aims to protect the character and appearance of the countryside, of the Hambleton Local Development Framework.